

REMARKS

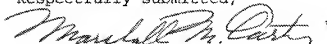
Claims 1 - 8 and 13 remain active in this application. Claims 9 - 12 and 14 - 15 have been canceled above following a Decision on Appeal mailed September 23, 2009. Claim 13, indicated as being directed to allowable subject matter and allowable subject to being rewritten in independent form has been rewritten in independent form. No other amendments to the specification, drawings or claims are presented in this amendment. No new matter has been introduced into the application.

In the Decision of Appeal decided and mailed September 23, 2009, the Examiner was reversed in regard to the rejection of claims 1 - 5, 7 and 8 under 35 U.S.C. §103 as being unpatentable over Simmons et al. but affirmed in regard to the rejection of claims 9 - 12, 14 and 15 under 35 U.S.C. §103 as being unpatentable over Simmons et al. in view of Cheney et al. At the time of the Appeal, the Examiner had indicated that claims 6 and 13 were directed to allowable subject matter and were allowed subject to being rewritten in independent form.

By the above amendment, claim 13 has been rewritten in independent form and all claims as to which the Examiner was affirmed on Appeal have been canceled. Claims 1 - 8 remain unchanged from the Appeal. Accordingly, it is respectfully submitted that, on the record, claims 1 - 8 and 13 are allowable and no other issues remain for consideration. Therefore, it is respectfully submitted that the above amendment places this application in *prima facie* condition for allowance and such action is respectfully requested at an early date.

Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 09-0456 of International Business Machines Corporation (Burlington).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Marshall M. Curtis".

Marshall M. Curtis
Reg. No. 33,138

Whitham, Curtis, Christofferson & Cook, P. C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190

(703) 787-9400
Customer Number: 46170